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By Electronic Filing

Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: EX PARTE – WC Docket No. 03-16: Application
by SBC Communications, Inc. for Authorization to
Provide In-Region InterLATA Services in Michigan

Dear Ms. Dortch:

WorldCom submits this *ex parte* letter and attached chart in response to the request from a legal advisor this week for a list of critical measures for which the integrity of the current performance measurement results is an issue under the third-party tests. The chart focuses primarily on BearingPoint's PMR 5 test, which evaluates whether BearingPoint has been able to replicate (*i.e.*, recalculate using SBC's calculation methodology and business rules) a performance measurement result. It does not reflect the results of BearingPoint's other tests, such as the PMR 4 test that is evaluating data integrity. Many of the measures listed as not yet satisfying the PMR 5 test also have not yet satisfied other testing categories.

The left side of the chart lists the only 10 measures for which BearingPoint has successfully completed PMR 5 testing. As of April 2, 2003, BearingPoint had not been able to replicate the other 140 performance measures. The right side of the chart lists key measures that BearingPoint has not been able to replicate. These measures are divided into those affecting UNE-P, and those affecting other UNEs generally, as well as measures about 911, coordinated cutovers, and facilities modification measures. While the UNE-P measures are most critical for WorldCom now, the other measures will become increasingly important if WorldCom is to move to UNE-L in any part of Michigan.

For most of these measures, BearingPoint has opened observations or exceptions, indicating that there are ongoing issues with validation. For some of the measures, BearingPoint does not have an open observation or exception and may not yet have

proceeded far enough with retesting to know whether issues that arose earlier in testing have been resolved.

In short, BearingPoint's PMR 5 testing standing alone shows that there is simply no basis for yet concluding that SBC's performance reporting is reliable. (As noted previously, this is but one area of failure by SBC regarding the integrity of its PM results.) Whatever Ernst & Young may have concluded, BearingPoint's inability to replicate SBC's results on the vast majority of metrics with a more thorough testing methodology shows that SBC's data is not yet reliable.

WorldCom believes that for this reason, among others, the FCC should reject this application.

Pursuant to the Commission's rules, I am filing an electronic copy of this letter and request that it be placed in the record of this proceeding.

Sincerely,

Keith L. Seat

Attachment

cc: Christopher Libertelli, Matthew Brill, Dan Gonzalez, Jessica Rosenworcel, Lisa Zaina, Jeffrey Carlisle, Michelle Carey, John Stanley, Gina Spade, Susan Pié, Qualex International, Mike Hirrel (DOJ), Layla Seirafi-Najar (DOJ), Dorothy Wideman (Michigan PSC), Ann Scheidewind (Michigan PSC)